

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 8
999 16TH STREET - SUITE 300
DENVER, CO 80202-2466
<http://www.epa.gov/region08>

November 16, 2000

Ref: EPR-ER

BY FACSIMILE AND CERTIFIED MAIL

Jim Stout, URS
707 17th Street, Suite 3400
Denver, CO 80202

Dear Jim:

I am writing this letter to notify you that W.R. Grace must pursue dust suppression more consistently in hauling contaminated materials to the Zonolite Mine on Rainey Creek Road (the "Road"). EPA has identified elevated ambient air levels of asbestos next to the Road episodically since October 30, 2000. The failure to fully implement dust suppression has caused ambient air concentrations of asbestos at the Northern boundary of the Parker property to exceed EPA's site action levels. You have been previously provided the ambient air data for this time period. Please refer to the data for October 30, November 10, 11, 13 and 14. These dates all correlate with dates on which dust suppression was either not performed or was inadequate. Failure to perform adequate dust suppression is a violation of the Unilateral Order under which W.R. Grace is performing the removal. I hope you will rectify this problem immediately, as failure to do so may impact the health of those exposed to these higher ambient air concentrations.

In addition, I am concerned that EPA has not yet received building restoration plans for the Export Plant. These plans were due within two weeks of the date on which clearance samples were provided. Failure to provide these plans by the required date is also a violation of the Unilateral Order. While the violation has already occurred, it is still important to resolve restoration issues as quickly as possible. Therefore, please provide these plans by November 27, 2000.

Sincerely,

A handwritten signature in black ink, appearing to read "Duc Nguyen", with a stylized flourish at the end.

Duc Nguyen
On-Scene Coordinator

